



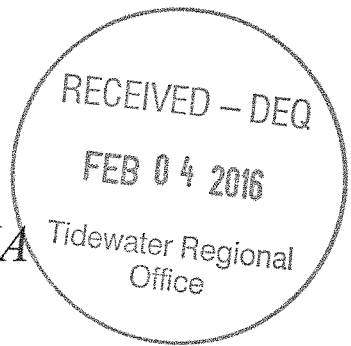
COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY
TIDEWATER REGIONAL OFFICE
5636 Southern Boulevard, Virginia Beach, Virginia 23462
(757) 518-2000 Fax (757) 518-2103
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Molly Joseph Ward
Secretary of Natural Resources

David K. Paylor
Director

Maria R. Nold
Regional Director



STATE AIR POLLUTION CONTROL BOARD ENFORCEMENT ACTION AMENDMENT TO ORDER BY CONSENT ISSUED TO WESTERN INDUSTRIES-NORTH, LLC FOR WESTERN FUMIGATION, SUFFOLK

Registration No. 61580

SECTION A: Purpose

This is an Amendment of an Order by Consent (Amendment) issued under the authority of Va. Code §§ 10.1-1309 and -1316, between the State Air Pollution Control Board and Western Industries-North, LLC, regarding the Western Fumigation, Suffolk facility, for the purpose of revising certain provisions of the Order by Consent (Order) issued by the Board to Western Industries-North, LLC. The Order was issued on June 22, 2010 for resolving certain violations of the Virginia Air Pollution Control Law and the regulations.

SECTION B: Basis for Amendment

1. "Western" means Western Industries-North, LLC, a corporation authorized to do business in Virginia and its affiliates, partners, subsidiaries, and parents. Western is a "person" within the meaning of Va. Code § 10.1-1300.
2. Western operates the Western Industries-North, LLC facility known as Western Fumigation Suffolk, 4165 Pruden Boulevard, Suffolk, VA. The facility uses methyl bromide (aka bromomethane, CAS #74839), an EPA listed hazardous air pollutant (HAP), as the main fumigation agent for various products, including wood, logs, and other commodities.
3. The State Air Pollution Control Board entered into the Order with Western Industries-North, LLC effective June 10, 2010 for: 1) failure to notify DEQ prior to commencement of construction, anticipated startup, and actual startup; 2) failure to

obtain a permit before construction; and 3) failure to submit a Title V permit application within one year of startup of the Title V applicable facility.

4. Western has requested to continue fumigation activities using methyl bromide at the facility until July 31, 2016 while attempting to transition fumigation activities to other sites. Prior to construction of fumigation activities at other sites, Western will seek synthetic minor air permits as required by law.
5. Based on the information available to DEQ to date, Western is otherwise in compliance with the Order and is current with all monitoring and reporting requirements.

SECTION C: Agreement and Order

Accordingly, by virtue of the authority granted it in Va. Code §§ 10.1-1309 and – 1316, the Board orders Western, and Western agrees to:

1. Cease methyl bromide and/or other hazardous air pollutant fumigation activities at the 4165 Prudent Boulevard, Suffolk, VA facility not later than July 31, 2016;
2. Withdrawal of the air permit application received in July 2009 and as modified for the 4165 Pruden Boulevard, Suffolk, VA facility as of the effective date of this Amendment;
3. Provide monthly status updates to DEQ beginning March 15, 2016, continuing and due by the 15th of each month, until the Order and Amendment are terminated, regarding activities Western has taken to transition methyl bromide fumigation activities from 4165 Pruden Boulevard, Suffolk VA to other sites;
4. Provide air permit applications to DEQ and obtain permits as appropriate, prior to commencement of construction, for any sites owned or operated by Western where Western intends to conduct methyl bromide fumigation activities;
5. Maintain compliance with the Order effective June 22, 2010 as amended herein;
6. Submit all requirements of this Order to: Regional Director, DEQ, Tidewater Regional Office, 5636 Southern Boulevard, Virginia Beach, VA 23462; and
7. Western understands and agrees that this Amendment does not alter, modify or amend provisions of the Order and that the provisions of the Order remain in effect by their own terms.

And it is so ORDERED this 4 day of February, 2016.


Regional Director
Department of Environmental Quality

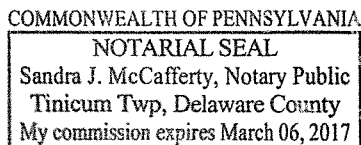
Western Fumigation Industries-North, LLC voluntarily agrees to the issuance of this Order.

Date: 2/1/2016 By: [Signature], FUMIGATION DIRECTOR
(Person) (Title)
Western Industries-North, LLC

Commonwealth of Virginia

City/County of SUFFOLK

The foregoing document was signed and acknowledged before me this 1st day of FEBRUARY,
2016, by KURT S. REICHERT who is
FUMIGATION DIRECTOR of Western Industries-North, LLC, on behalf of the Western
Industries-North, LLC.



[Signature]
Notary Public

Registration No.

My commission expires: 3-6-2017

Notary seal: